

THE CHAIRMAN: In the absence of objection the Chair will consider Amendment 4 modified. In line 8, strike the words "popularly elected"; strike out all of line 9, and in line 10, strike the words "other units of local government".

Is there any objection? If not, the modification will be considered as having been accepted. The Chair recognizes Delegate Sybert to speak for the amendment.

DELEGATE SYBERT: Mr. Chairman, I am not going to spend much time in explaining this amendment. It would serve simply to make mandatory, as now written, any law providing for the establishment or alteration of boundaries of multi-county governmental units. It also spells out the governmental units in which a referendum would have to be held by the words in lines 11 to 14, "no such law shall become effective until submitted to the voters of each county affected and approved by a majority of those voting on the question in each such county."

In line with what Delegate Carson pointed out yesterday, section 7.10 as written by the Committee and as amended up to this point, would permit the legislature to provide for any multi-county governmental unit without any action on the part of the counties affected.

That would mean as a practical matter, Mr. Chairman, that a majority of the members of the legislature in each house could provide for any type of intergovernmental unit, and as we have already heard, any such unit could be invested with almost all of the powers of any county.

In effect, even though a county were not actually and completely destroyed by such action, it could virtually be destroyed by having almost all of its governmental powers taken away from it, through the action of a mere majority vote of the legislature.

Now, how would such a majority be obtained in the legislature of each house?

Baltimore City to be specific, could join with one or possibly two of the larger counties and have a majority of the legislature. While there may not be any log-rolling in the legislature now, it is possible that in the future Baltimore City and one or two of the larger counties could join forces in order to set up any type of bi-county or tri-county governmental unit. In this way they could take away many or almost all of the powers of one or more counties, very probably nearby counties, in turn

for some delegate in another part of the State.

I submit, if your Honor please, that the counties should have some protection from such action. They should not be forced to join unwillingly within any regional government that the people of that county do not want and as a matter of fact may be violently opposed to.

I think this explains the intent and purpose of the amendment. I am not wedded to the matter of requiring a referendum by the voters of these counties, and as a matter of fact, would be willing to submit, or to substitute in place of such a referendum, the words "such a law shall not be effective until approved by the governing bodies of each county affected."

That is an alternative possibility. I submit, therefore, Mr. Chairman, that the amendment be adopted by the Convention.

THE CHAIRMAN: The Chair recognizes Delegate Moser to speak in opposition to the amendment.

DELEGATE MOSER: Mr. Chairman and ladies and gentlemen of the Committee of the Whole, this amendment goes much, much further than the one that yesterday was defeated by a 90 to 20 vote, and I rise in opposition to the amendment.

With all due respect, what it does is give a veto over action of the General Assembly with respect to multi-county problems to either the county governmental body or the voters in the county.

It would affect a situation as simple as establishing a regional planning council for the Baltimore region.

In effect it would permit a veto of this at the local level. As I said yesterday we came down here to strengthen the legislature, who are our popularly elected representatives. This amendment could hogtie them.

Under the present Constitution, the General Assembly can create multi-county units. Today, more than ever, problems of the State go beyond county boundaries. I do not have to detail all the ones that do. This is true of the Eastern Shore, of Southern Maryland and Western Maryland; it is not limited to the Baltimore and Washington areas alone. The General Assembly has to have the power to provide for innovation such as the Regional Planning Council, and should not, I submit, be required to submit to referenda, as the amendment suggests.